

REMARKS

Claims 33-38 are all the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 102

Claims 33-36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Berstis et al. (US 6,650,894).

Claim 33, as amended, recites the features of a communication unit configured to receive, from the first installed apparatus, a notification signal indicating a **detection of changing a level of sound output of the first installed apparatus**; and an operating unit configured to change the level of sound output of the second installed apparatus according to the **detection of changing the level of sound output of the first installed apparatus**.

Applicants respectfully submit that Berstis does not disclose or suggest the above-noted combination of features recited in amended claim 33.

Regarding Berstis, Applicants note that this reference discloses an electronic device that is able to detect the proximity of other electronic devices, and to control one or more of the electronic devices based on the detected proximity. For example, Berstis discloses that a user may select a condition that between 8 p.m. and 7 a.m. when the user's spouse's mobile phone is detected within twenty-five feet of the user's mobile phone, that the user's mobile phone is to automatically route calls to voice mail (see col. 4, lines 58-62).

As another example, Berstis discloses that a user's portable electronic device 66 may require that when a manager's portable electronic device 60 is detected within the same meeting room, that the portable electronic device 66 has its volume automatically lowered (see col. 8, line 65 through col. 9, line 6). Also, Berstis discloses that when additional employees enter the

meeting room with phones/pagers, a master device 68 is able to transmit a control code to turn off all audio and route any calls to voice mail on all electronic devices in the meeting room (see col. 9, lines 6-10).

Based on the foregoing description, Applicants note that while Berstis discloses the ability to control the output of a second portable electronic device (e.g., 66) based on a distance between a first portable electronic device (e.g., 60) and the second portable electronic device (e.g., 66), that Berstis does not disclose or suggest the above-noted features recited in amended claim 33 of a communication unit configured to receive, from the first installed apparatus, a notification signal indicating a **detection of changing a level of sound output of the first installed apparatus**; and an operating unit configured to change the level of sound output of the second installed apparatus according to the **detection of changing the level of sound output of the first installed apparatus**.

In other words, unlike the claimed invention set forth in claim 33, Applicants note that the technique disclosed in Berstis is not for detecting the changing of a level of sound output of a first installed apparatus, but instead, is for detecting the proximity (a distance) between two or more electronic devices, and controlling the sound output of one of the electronic devices based on the detected proximity. Also, unlike the “first installed apparatus” and “second installed apparatus” set forth in claim 33, Applicants note that the electronic devices in Berstis are movable portable devices.

Further, with respect to the claimed “notification signal”, it is noted while Berstis discloses that each of the electronic devices transmits an identifier and/or location information such that the other electronic devices are able to determine the distance to the electronic device (see col. 7, lines 19-39), Applicants respectfully submit that that Berstis does not disclose or in

any way suggest that the identifier and/or location information indicates a detection of changing a level of sound output of a first installed apparatus.

In view of the foregoing, Applicants respectfully submit that Berstis does not disclose, suggest or otherwise render obvious the above-noted features recited in amended claim 33 of a communication unit configured to receive, from the first installed apparatus, a notification signal indicating a **detection of changing a level of sound output of the first installed apparatus**; and an operating unit configured to change the level of sound output of the second installed apparatus according to the **detection of changing the level of sound output of the first installed apparatus**.

Accordingly, Applicants submit that claim 33 is patentable over Berstis, an indication of which is kindly requested. Claims 34-36 depend from claim 33 and are therefore considered patentable at least by virtue of their dependency.

II. Claim Rejections under 35 U.S.C. § 103(a)

Claims 37 and 38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Berstis et al. (US 6,650,894).

Claims 37 and 38 depend from claim 33. For the reasons discussed above, Applicants respectfully submit that Berstis does not disclose, suggest or otherwise render obvious all of the features recited in claim 33. Accordingly, Applicants submit that claims 37 and 38 are patentable at least by virtue of their dependency.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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